

## Message Text

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62

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 DOTE-00 SCS-03 SCA-01

SS-15 L-03 NSC-10 H-03 IO-13 RSR-01 /106 W

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R 301739Z AUG 73

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 3678

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E.O. 11652: N/A

TAGS: ETRN, UK

SUBJECT: CIVAIR - CHARTERS

REF: LONDON 9861

1. EMBOFF MET WITH ROGERS AND GARDINER (DTI) AUGUST 30 TO DISCUSS ROGERS' RECENT VISIT TO WASHINGTON. DURING COURSE OF MEETING, ROGERS RAISED PROBLEM OF PANAM CHARTER VIOLATIONS (PARA 3, REFTEL) WHICH HAD JUST BEEN BROUGHT TO HIS ATTENTION. HE SAID PANAM HAD BEEN PLACED ON NOTICE THAT FURTHER CHARTER PERMITS WILL NOT BE APPROVED UNTIL CARRIER EXPLAINED ALLEGED DISCREPAN- CIES AND SATISFIED DTI THAT NECESSARY PRECAUTIONS WERE BEING TAKEN TO ENSURE AGAINST FUTURE PROBLEMS.

2. EMBOFF REPEATED PREVIOUS STATEMENTS THAT USG HAS STRONG INTEREST IN SEEING TO IT THAT AFFINITY RULES WORK PROPERLY AND THAT VIOLATORS OF RULES BE BROUGHT TO TASK FOR INFRACTIONS BUT HE SAID IN HIS VIEW UK REACTION TO ALLEGED VIOLATION--SUSPENSION OF CHARTER RIGHTS--SEEMED EXTREMELY HARSH AND OUT OF PROPORTION TO NATURE OF OFFENSE. ROGERS INTERJECTED THAT US HAD ACTED SIMILARLY IN CASE OF LAKER. EMBOFF REPLIED LAKER VIOLATIONS WERE DIFFERENT ORDER OF MAGNITUDE THAN THOSE ALLEGED AGAINST PANAM AND ONA AND THAT LAKER HAD

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AVAILABLE DUE PROCESS PROCEDURE OF CAB TO DEFEND

ITSELF AGAINST SUSPENSION OF RIGHTS.

3. ROGERS SAID FULL EXTENT OF AFFINITY VIOLATIONS STILL NOT CLEAR BECAUSE INSPECTIONS ONLY RECENTLY INSTITUTED AND ENFORCEMENT OFFICIALS ONLY CHECK SMALL SAMPLE OF PASSENGERS ON EACH FLIGHT INSPECTED. PROPORTION OF DISCREPANCIES FOUND IN SOME OF SAMPLES CHECKED WOULD INDICATE CARRIERS ARE DOING LITTLE TO POLICE AFFINITY RULES. ONE PANAM FLIGHT, HE SAID, OUT OF EIGHTEEN PASSENGERS CHECKED THIRTEEN APPEARED TO BE INELIGIBLE. ROGERS SAID IF AFFINITY RULES WERE DEFINITELY TO BE ABOLISHED, UK WOULD BE PREPARED TO OVERLOOK RECENT VIOLATIONS. BUT, HE SAID, US ASKING UK TO EXTEND AFFINITIES WHEN, ON EXAMINATION, UK IS FINDING MANY INFRACTIONS AND LITTLE EVIDENCE THAT CARRIERS THEMSELVES ARE SERIOUSLY TRYING TO ABIDE BY RULES. ROGERS APPEARED TO ACCEPT POINT THAT SUSPENSION OF CHARTER RIGHTS A BIT EXTREME BUT SAID IN VIEW OF CIRCUMSTANCES THIS APPEARED TO BE ONLY PRACTICAL RE COURSE DTI HAD WITH RESPECT TO FOREIGN-ORIGINATING CHARTERS. HE NOTED, HOWEVER, THAT DTI WAS AGAIN APPROVING ONA APPLICATIONS (FOR RETURN LEGS) AFTER CARRIER HAD DECLARED ITS INTENTION TO INSTITUTE TIGHTER POLICING MEASURES ON ITS AFFINITY FLIGHTS. ROGERS SAID UK OPEN TO SUGGESTIONS ON ALTERNATIVE MEANS OF ENFORCING AFFINITY RULES ON FOREIGN-ORIGINATING FLIGHTS AND IMPROVED COORDINATION WITH CAB ENFORCEMENT OFFICIALS. IN THIS CONNECTION HE IS LOOKING FORWARD TO OCTOBER VISIT BY OMELIA AND STOUT.

4. COMMENT: DISCREPANCIES UK IS FINDING, AND WILL CONTINUE TO FIND THROUGH ITS STEPPED-UP ENFORCEMENT ACTIVITY, ON US-ORIGINATING AFFINITY FLIGHTS THREATENS CHARTER ACTIVITIES OF US CARRIERS AND PLACES IN SOME JEOPARDY PROSPECT OF GETTING UK APPROVAL FOR US AFFINITY FLIGHTS NEXT SEASON. WE HOPE WASHINGTON AGENCIES WILL IMPRESS ON US AIRLINES URGENT NEED FOR TIGHTENING-UP THEIR OWN POLICING OF AFFINITY FLIGHTS AT U.S. POINTS OF ORIGIN. WOULD APPRECIATE ANY FURTHER GUIDANCE DEPARTMENT MIGHT WISH TO OFFER FOR USE IN ANY LIMITED OFFICIAL USE

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FURTHER DISCUSSIONS WITH UK OFFICIALS ON THIS PROBLEM.

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